

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**ALMA R. JOHNSON,**

**Plaintiff,**

**vs.**

**No. CIV-09-0746 LFG/LAM**

**HARTFORD LIFE AND ACCIDENT  
INSURANCE COMPANY,**

**Defendant.**

**STIPULATED ORDER EXTENDING DEADLINE  
TO RESPOND TO AMENDED COMPLAINT**

**THIS MATTER** is before the Court on Defendant's *Notice of Extension of Time* (Doc. 7), filed August 26, 2009. Defendant states that "[p]ursuant to Local Rule LR-CV 7.4(a), and upon agreement of counsel for the Plaintiff," notice is given of an extension of time to September 21, 2009, for Defendant to respond to Plaintiff's *Amended Complaint Under ERISA For Recovery of Disability Insurance Benefits* (Doc. 3) (hereinafter "*Amended Complaint*"). *Notice of Extension of Time* (Doc. 7) at 1. The Court notes that D. N.M. LR-Civ. 7.4(a) pertains to time periods related to responses and replies to motions. *See* D. N.M. LR-Civ. Rule 7 titled "Motion Practice." An extension of time for filing an answer to a complaint is governed by Fed. R. Civ. P. 6(b)(1), whereby the Court may extend the time "for good cause." *See E.E.O.C. v. Mothers Work, Inc.*, No. Civ.A.SA04CA0873-XR, 2005 WL 465400 \*1 (W.D. Tex. Feb. 28, 2005) (unpublished) ("Parties may not agree to extend the deadline for a defendant to file its answer without approval by the Court pursuant to Fed. R. Civ. P. 6(b).") (citation omitted).

Defendant fails to give any reason for an extension of time to respond to Plaintiff's *Amended Complaint*. The Court, however, will grant the extension this time, but cautions the parties that any further extensions for filing an answer will not be granted absent a showing of good cause.

**IT IS THEREFORE ORDERED** that Defendant's deadline for responding to Plaintiff's *Amended Complaint* is extended to *September 21, 2009*.

**IT IS SO ORDERED.**

  
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**LOURDES A. MARTÍNEZ**  
**UNITED STATES MAGISTRATE JUDGE**